



**Service of Process  
Transmittal**

12/10/2012  
CT Log Number 521756932

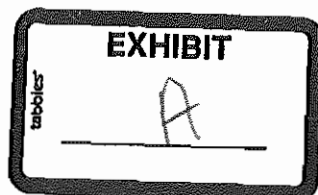
**TO:** Susan Kernen  
FedEx Ground Package System, Inc.  
1000 FED EX DR  
MOON TOWNSHIP, PA 15108-9373

**RE:** Process Served in Illinois

**FOR:** FedEx Ground Package System, Inc. (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Joenathan Stevenson, Pltf. vs. FedEx Ground Package System, Inc., Dft.  
**DOCUMENT(S) SERVED:** Summonses, Complaint  
**COURT/AGENCY:** Cook County Circuit Court - County Department - Law Division, IL  
Case # 2012L013758  
**NATURE OF ACTION:** Employee Litigation - Wrongful Termination - On January 17, 2011  
**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL  
**DATE AND HOUR OF SERVICE:** By Process Server on 12/10/2012 at 11:00  
**JURISDICTION SERVED :** Illinois  
**APPEARANCE OR ANSWER DUE:** Within 30 days after service of this summons, not counting the day of service  
**ATTORNEY(S) / SENDER(S):** Seth R. Halpern  
Malkinson & Halpern, P.C.  
208 S. LaSalle Street  
Suite 1750  
Chicago, IL 60604  
312-427-9600  
**ACTION ITEMS:** SOP Papers with Transmittal, via Fed Ex 2 Day , 794268808052  
Image SOP  
Email Notification, Susan Kernen isopcomplaints@fedex.com  
**SIGNED:** C T Corporation System  
**PER:** Darniceshia Thornton  
**ADDRESS:** 208 South LaSalle Street  
Suite 814  
Chicago, IL 60604  
**TELEPHONE:** 312-343-4336



Page 1 of 1 / WT

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2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS



2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, \_\_\_\_\_ LAW \_\_\_\_\_ DIVISION

JOENATHAN STEVENSON

(Name all parties)

v.

FEDEX GROUND PACKAGE SYSTEM, INC.,

2012LO13758  
No. CALENDAR ROOM 0  
TIME 0900  
FedEx Ground Package System

c/o C.T. Corporation System

208 S. LaSalle - Suite 814, Chicago, IL

60604

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- ☐ District 2 - Skokie  
5600 Old Orchard Rd.  
Skokie, IL 60077
- ☐ District 3 - Rolling Meadows  
2121 Euclid  
Rolling Meadows, IL 60008
- ☐ District 4 - Maywood  
1500 Maybrook Ave.  
Maywood, IL 60153
- ☐ District 5 - Bridgeview  
10220 S. 76th Ave.  
Bridgeview, IL 60455
- ☐ District 6 - Markham  
16501 S. Kedzie Pkwy.  
Markham, IL 60428
- ☐ Child Support  
28 North Clark St., Room 200  
Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 34694

Name: Malkinson &amp; Halpern, P.C.

Atty. for: Plaintiff

Address: 208 South LaSalle Street - Suite 1750

City/State/Zip: Chicago, Illinois 60604

Telephone: 312-427-9600

WITNESS, \_\_\_\_\_

Clerk of Court

Date of service: \_\_\_\_\_

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: \_\_\_\_\_

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

2120 - Served                      2121 - Served  
 2220 - Not Served                2221 - Not Served  
 2320 - Served By Mail           2321 - Served By Mail  
 2420 - Served By Publication   2421 - Served By Publication  
 SUMMONS                          ALIAS - SUMMONS



(2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, \_\_\_\_\_ LAW \_\_\_\_\_ DIVISION

2012L013758  
 CALENDAR ROOM Q  
 TIME 00:00

No. Retaliatory Discharge

FedEx Ground Package System

c/o C.T. Corporation System

208 S. LaSalle - Suite 814, Chicago, IL

60604

JOENATHAN STEVENSON

(Name all parties)

v.

FEDEX GROUND PACKAGE SYSTEM, INC.,

☒ SUMMONS    ☐ ALIAS SUMMONS

To each Defendant:

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- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- |   |  |  |
|---|--|--|
| <input type="radio"/> District 2 - Skokie<br>5600 Old Orchard Rd.<br>Skokie, IL 60077       | <input type="radio"/> District 3 - Rolling Meadows<br>2121 Euclid<br>Rolling Meadows, IL 60008 | <input type="radio"/> District 4 - Maywood<br>1500 Maybrook Ave.<br>Maywood, IL 60153          |
| <input type="radio"/> District 5 - Bridgeview<br>10220 S. 76th Ave.<br>Bridgeview, IL 60455 | <input type="radio"/> District 6 - Markham<br>16501 S. Kedzie Pkwy.<br>Markham, IL 60428       | <input type="radio"/> Child Support<br>28 North Clark St., Room 200<br>Chicago, Illinois 60602 |

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Atty. No.: 34694Name: Malkinson & Halpern, P.C.Atty. for: PlaintiffAddress: 208 South LaSalle Street - Suite 1750City/State/Zip: Chicago, Illinois 60604Telephone: 312-427-9600

WITNESS, \_\_\_\_\_

Clerk of Court

Date of service: \_\_\_\_\_

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: \_\_\_\_\_

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JOENATHAN STEVENSON,

Plaintiff,

vs.

FEDEX GROUND PACKAGE SYSTEM,  
INC., a Delaware Corporation,

Defendant.

No.:

FILED LAW DIVISION  
2012 DEC -7 PM 1:20  
DOROTHY BROCK  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY  
2012 LO 1375  
CALENDAR ROOM Q  
TIME 00:00  
Retaliatory Discharge

**COMPLAINT AT LAW**

NOW COMES the plaintiff, JOENATHAN STEVENSON, by and through his attorneys, MALKINSON & HALPERN, P.C., and complains of the defendant, FEDEX GROUND PACKAGE SYSTEM, INC. as follows:

**RETALIATORY DISCHARGE**  
**(ILLINOIS WORKERS' COMPENSATION ACT)**

1. Plaintiff, JOENATHAN STEVENSON (hereinafter "plaintiff"), is a male citizen of the State of Illinois and presently resides at 7914 S. Green, in the City of Chicago, County of Cook, State of Illinois.

2. Defendant, FEDEX GROUND PACKAGE SYSTEM, INC. (hereinafter "FEDEX"), at all relevant times was and remains a Delaware corporation doing business at all times in Illinois at 6833 W. 75<sup>th</sup> Street in the City of Bedford Park, County of Cook, State of Illinois.

3. On or around February 26, 2007, FEDEX hired plaintiff as a package handler.

4. At all times during his tenure of employment at FEDEX, plaintiff performed his job in a satisfactory manner.

5. On or around January 6, 2011, plaintiff sustained a work-related injury to his back. Plaintiff reported his injury to FEDEX management and a First Aid/Injury Report regarding the injury was completed that same day.

6. At that time, supervisors, John Mitchell, Matt Fagnano, and Corey Capodice encouraged plaintiff to just treat his injury with home remedy and to work on light duty for several days and see how he felt.

7. On or around January 13, 2011, plaintiff sought medical treatment for his work-related back injury with his own treating physician. The following day, he reported to work with a written statement from his physician, pertaining to the visit the day before, which he provided to Mr. Capodice pursuant to FEDEX policy.

8. On January 17, 2011, FEDEX terminated plaintiff, explaining that he had failed to notify management before seeking medical treatment.

9. In fact, Plaintiff's termination was in retaliation for exercising his rights under the Illinois Workers' Compensation Act (hereinafter the "Act"), 820 ILCS 305/1 *et. seq.*

10. The State of Illinois clearly prohibits any employer from engaging in any retaliatory or discriminatory conduct against any employee because the employee exercises his/her rights under the Act, 820 ILCS 305/1 *et seq.* Section 4(h) of the Act provides in relevant part that:

It shall be unlawful for any employer, insurance company or service or adjustment company to interfere with, restrain or coerce an employee in any manner whatsoever in the exercise of the rights or remedies granted to him or her by this Act or to discriminate, attempt to discriminate, or threaten to discriminate against an employee in any way because of his or her exercise of the rights or remedies granted to him or her by this Act.

It shall be unlawful for any employer, individually or through any insurance company or service or adjustment company, to discharge

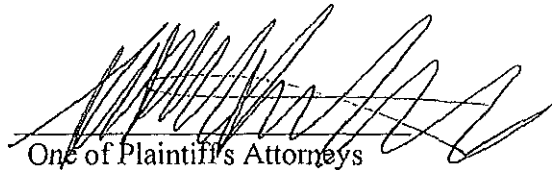
or to threaten to discharge, or to refuse to rehire or recall to active service in a suitable capacity an employee because of the exercise of his or her rights or remedies granted to him or her by this Act.

11. FEDEX violated clearly mandated public policy of the State of Illinois when it terminated plaintiff because he exercised his rights under the Act. Moreover, FEDEX violated clearly mandated public policy of the State of Illinois as well as the language of Section 4h when it required plaintiff to notify management *before* seeking necessary medical treatment, thereby interfering with and restraining the exercise of his rights under the Act.

12. As a direct and proximate result of the above-mentioned incidents and conduct of FEDEX, plaintiff experienced, and continues to experience, lost wages and benefits, and suffered and continues to suffer from emotional distress.

WHEREFORE, plaintiff, JOENATHAN STEVENSON, prays for judgment against defendant, FEDEX GROUND PACKAGE SYSTEM, INC. in an amount in excess of Fifty-Thousand (\$50,000) Dollars plus costs and for all other relief this court deems appropriate.

By:



One of Plaintiff's Attorneys

Seth R. Halpern  
MALKINSON & HALPERN, P.C.  
208 S. LaSalle Street, Suite 1750  
Chicago, Illinois 60604  
(312) 427-9600  
Attorney No. 34694